

Express Mail No.: EV 463246275 US
Date Mailed: MARCH 22, 2005

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder)	Dkt. No.:	8403.979
)		
Serial No.: 10/697,857)	Examiner:	E. Omgba
)		
Filed: October 30, 2003)	Art Unit:	3726

For: METHOD FOR COVERING A FLOWER POT AND FLORAL GROUPING

MAIL STOP - FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Sir:

Kathryn L. Hester, Ph.D., having a mailing address of P.O. Box 16370, Oklahoma City, Oklahoma 73113, in the County of Oklahoma and the State of Oklahoma, represents that she is an authorized attorney or agent of record and thus authorized to sign on behalf of the Petitioner/Assignee.

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The Family Trust U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to **said U.S. Patent No. 5,815,905, issued on October 6, 1998, assignment recorded on January 26, 1996, Reel 7795, Frame 0753.**

The Family Trust U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to the above-identified patent application, **U.S. Serial No. 10/697,857**, filed October 30, 2003, assignment recorded on January 26, 1996, Reel 7795, Frame 0753.

The assignment documents relating to **U.S. Patent No. 5,815,905**, and to the above-identified application **U.S. Serial No. 10/697,857** have been reviewed and certified by Petitioner/Assignee and, to the best of Petitioner/Assignee's knowledge and belief, title is in the Petitioner/Assignee seeking to take this action.

Petitioner/Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the earlier of the full statutory term defined in 35 U.S.C. § § 154-156 and 173, and of the term as presently shortened by any terminal disclaimers of **said U.S. Patent No. 5,815,905.**

Petitioner/Assignee further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period

that the legal title to said patent shall be the same as the legal title to **said U.S. Patent No. 5,815,905**.

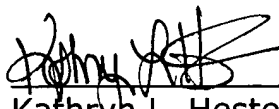
This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner/Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term defined in 35 U.S.C. § § 154-156 and 173, and of the term as presently shortened by any terminal disclaimers of **said U.S. Patent No. 5,815,905** in the event that **said U.S. Patent No. 5,815,905** later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §§ 154-156 and 173 prior to the expiration of the full statutory term(s) as presently shortened by any terminal disclaimer(s), except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Date)



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☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.